

Jim Thorpe Planning Commission
April 23, 2019

Meeting called to order: 6:30 p.m. Secretary arrived: 6:40 p.m.

Roll Call of Members: Lou Hall, Nancy Porambo, Jolene Evans, Joanne Klitch, John McGuire, Joe Micko, Clem McGinley

Visitors: Jim Nanovic, Maureen Sterner, Entech Engineer, Kerry Good, Betty Lou McBride, Attorney James Kratz, Engineer William Endman of Keystone Consulting Engineers, Jake Arner, Canyon Rim Estates, Thomas Highland, James Dougher, Andrew Roberts

Hearing of Visitors:

Chairman Hall opened the meeting with the presentation of the Canyon Rim RV, Cabin and Camping lots subdivision preliminary plan review.

James Kratz Attorney for Canyon Rim Estates opened the discussion remarking on the Borough's Engineering Firm, Entech Engineering's letter no. 4159.19 received April 16, 2019 comments on the submitted plans. The new proposed subdivision plans were reviewed by E.E. against, I. Stipulation and settlement agreement, II. JT Zoning Ord, III. JT Stormwater Management Ord, IV. JT SALDO and V. General plan comments. The letter is attached.

He explained that due the current housing market, Jake Arner has concluded he needed to change strategies and has submitted the new plan to utilize the northern part of Canyon Rim Estates (north of Canyon Rim Drive) for housing and the southern part (south of Canyon Rim Drive) for a gated and controlled RV/cabin/camping area. He stated that the original plan (Canyon Rim Estates plan) has conditional approval stipulations that should hold true for the revised plans and that under zoning the density could be increased. The new plan also proposes to have on-site community water and sewer for both the housing and camping areas.

Section comments

I. Stipulation and settlement agreement

Financial agreement for upgrades and repairs of Flagstaff Road is part of this proposal and the amount to be paid will be calculated when the project starts. The current value as of 10/18 is \$238,021. This payment agreement is not tied to the number of lots.

He stated the NPDS storm water plans will need to be updated. He stated that since the road for the campsite would be private the stipulation that the Boro would take over the roads after completion of the development would not apply to the campsite and only to the housing site. Only the road for the housing development will be turned over to Boro.

Lou stated the specs were based on an 84-lot sub-division and not a camping resort with roads with big campers using the roads. Jake stated the part not zoned for RV's is zoned for single family homes. He calls them home lots. He indicated the winery is already approved and accessory roads are permitted under agritourism.

Joanne asked for clarity. Is the farm stand on one side? Who owns what? Jake indicated the property is owned by Canyon Rim LLC, the other side is owned by Jake Arner, LLC and Arner Holdings LLC. He owns both of them. Ninety-eight percent is owned by himself and 1% each is owned by his two children. Jake considers single family residences and cabins to be the same. He indicated they are leased spaces. He is not selling, he is leasing. It complies with the zoning ordinance, they're 75' wide. The lots on the R2's have to be 50' and 10,000 square feet. There are some lot width differences.

Under the settlement agreement, the borough waived it for the 84 lot subdivision. (Lou) The agreement said you can increase density. Solicitor Nanovic was not comfortable with that. If you look at first paragraph, we approved the plans and there were other provisions. Mr. Nanovic indicated his silence is not necessarily an agreement of this. Jake felt he fully complies with the minimum lot size.

Lou, initially, there were upgrades to the road, now there are tractor trailers being pulled on the road. Jake said he doesn't know the size of trailers. He said the roads will be private. Lou, ask how it would be possible to get two of these campers traveling on the road? Jake, he had an RV manager come up the site who manages a 500 RV site and they said Flagstaff road was the same as their road and they saw no problem traveling on the Flagstaff road.

Jake indicated he is contributing \$235,000 and that is larger than anyone helping do what you need to do. He said he is proposing to bring two people per RV, more than 500 people to JT and it will also support the tram. The hardest thing was finding a room. On a rainy day, no-one is there. RV'ers plan their trips weeks and months ahead of time. They plan to stay a few days and leave. They park and have scooters and cars. Jake felt this is not that great of an impact. For every business in town, it adds 500 people to the town. It ensures that on a rainy day, when no-one is in the ballroom and tram, it will be full. When parking is tough downtown, he plans to run a van on a regular basis to town. Jake considers his plan to be the best for the benefit of the town. Mr. Kratz said he feels it works better than what was originally planned.

Joe questioned as to traffic getting through Flagstaff. How much of the year would this be open, seasonally, year-round? Jake indicated the resort is in operation 6 months from May 1-October 31st. All RV parks have a season. During the season, they do well. Winter? No. He believes he can hook up with the ski resorts for his 35 cabins. Most RV owners leave to go South and hunters, if they don't want to be there, he is ok with that.

Jake was questioned about sewer and water. Jake indicated this would be a community system. He said the cabins are single family dwellings. Lou asked for clarity from Entech. Joanne asked if he was scratching his original development and all he was approved for prior to this. She indicated there are things not on this map. Is this a whole new development? Winery and residence were approved. There are no buildings on the current map. She stated when he goes for a permit, he has to show a plan for house, for storm water, etc.

Joanne: Single family homes, phase 1B. Will they have septic systems? Jake: There are 84 approved septic systems. There were 84 wells approved. Each RV and camping lot will use 100 gallons per day. They are hoping to pump to one tank and it's subject to DEP approval. The reason they haven't met with DEP is that they need to get the number of units figured out.

Jake said he thought they would come in with the exact same road plan with no changes. Lou, you don't think you will increase the impervious surface? Jake, how big is an RV (320 sq. ft.), some are smaller.

Lou, cabins? Cabins (400 sq. ft.) Lou: will there be deed restrictions? Jake: they need approval before they can sign up. They will be adding amenities as they go. They took the current plans and divided them into sections (Jake). He said he has a bank that said they can lend him the Flagstaff Road money. RV parks are selling. This is a good plan to bring to the area.

Jim Nanovic questioned about north of Flagstaff, will he sell those lots? He said yes, on the south side, he will retain ownership for RV and camping. What is camping? Can a tent be put up? Arner, yes. Don't RV's have bathrooms? Arner, yes.

Jake indicated they don't do long term rentals. Long term renters want to pay less. Some people use their RV's as a second home. Lou, will you make that a part of your plan, you will restrict to short-term rentals? Arner, 75% will be restricted to short-term. He thought the average stay will be 3-7 days.

Joanne, depending on size of lot, will you allow more than 1 camper on a lot? Jake, some sites have a casita (a screened or window area) that the person pulls up next to. . If not, there can be a buddy spot behind the other RV. Joanne, you will be allowing more than 1 camper on lot?

Lou, it makes a difference on the amount of sewer. Jake stated it is common for a "buddy lot", a longer lot when two campers come together with RV's, they share the lot. It's a good thing, not a bad.

John, how you size the sewer system concerns me. They dump before they leave. If you have that buddy lot, you have to have enough of a sewer system that has to take care of getting rid of it? Jake, 100 gallons per RV.

Maureen, do you have it marked how many are buddy lots? Jake, they will have a driveway design later. To design 236 driveways without knowing we're on agreement on the number of lots, it's crazy. The plans aren't required now. Maureen, are they looking at 250 lots or 25? Once you get through everything, you will know how many lots can be doubled up?

Joe, sewer and water, what facilities will others have? Jake stated they will have electric, water and community restrooms. A dump station is needed. They can filter water, etc... Joe, how can you be less impervious, how can you calculate this? Jake, the topography will dictate driveway space, how much can be cleared. Joe stated he is worried about run-off.

Jake, everything except main roads will be put with pervious stone. He will forward all the documents.

Joe, hiking trails, what type of surface? Jake, majority of hiking trails are on the west side. They will be pervious hike trails and will not affect sewer systems. They will walk between vineyard site and some of it will not be a pervious surface trail. Joe, they just turn into gutters. Where there is a steep grade, more surface will have to be added.

Areas that are problematic he will add same surface as driveways. Add clean stone and water will sink into the conditions. It will also retain storm water. Some places stone is 8" deep. It will take care of a big puddle.

- II. Zoning Ord
Entech comments were deemed acceptable to Ahner LLC and they will comply with the suggested changes and items needing to be addressed.
- III. Storm Water Management Ord
Entech comments were deemed acceptable to Ahner LLC and they will comply with suggested changes and items needing to be addressed.
- IV. Subdivision and land development Ord
 1. Frontage for Lots 86 and 88 will be revised with emergency access being the old Flagstaff road.
 2. Waived under previous conditionally approved plan.
 3. Lot grades must be revised in order to get a MPDS permit
 4. Lot grades and stormwater collection and management systems, sanitary sewer collect and treat facilities, water supply and distribution plans must be revised in order to get a MPDS permit.

V. General plan comments

1. The 50' wide area indicated between lots fronting Canyon Rim Drive and Pinnacle Hill Road is utility access and will be noted as such on the plans
2. The plans will indicate that the area west of Zia Drive is designated for hunting access parking.
3. The corner lots are small but will confirm with zoning setbacks if built on.
4. for comment only.
5. Flagstaff Road will be labeled on the cover sheet
6. An updated one call will be placed on final plans as these numbers change every 6 months so the current plans number is out dated.

Maureen asked Jim Nanovic, do you have questions? He suggests to table any approval until the next meeting. It's different. It shows land development not a subdivision.

Motion: Joanne, Clem seconded. Motion to table till next planning commission meeting, May 21st. All in favor. Motion carried.

Hearing VRBO

Betty Lou McBride – Concern that the West Broadway parking ordinance means expensive signs and enforcement. She indicated there are 57 vacation rentals downtown. She provided a list of vacation rentals felt there are more than what are on the list. The county map has different owners than what we know but the County sent out letters asking if these residences are B & B's.

She questioned why the ordinance doesn't require the residence to be owner occupied. Many other area ordinances say owner occupied homes. They're businesses, they're infringing. She suggested we make the residential back to residential. Lou, didn't believe we can do that. He indicated he will have to do more research.

She questioned if STR's will be required to have same controls as B&B's? Inspections? Lou said they will have to be in compliance. She has been in contact with Ron Sheehan and he suggested we share the information with him to be sure the language is the same.

Betty Lou questioned that when the ordinance is announced, will it also be advertised? She felt it needs a PR program stating the positives of the ordinance and agreed to share her list of the positive reasons for the ordinance. She also cited Bethlehem's ordinance as an example.

Lou reassured this is only a draft and a work in progress.

Clem made the motion to adjourn at 8 pm, seconded by Joanne with all in favor.